

## Message Text

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TO USDEL SECRETARY PRIORITY

C O N F I D E N T I A L STATE 242938 TOSEC 280080

FOLLOWING REPEAT NAIROBI 10667 ACTION SECSTATE INFO TAIPEI  
ISLAMABAD GENEVA LONDON 30 SEP 76

QUOTE:C O N F I D E N T I A L NAIROBI 10667

DEPT PASS SECRETARY

E. O. 11652: GDS

TAGS: INTELSAT, OGON, PFOR, CH, TW, PK

SUBJ: INTELSAT: CHINA

REF: (A) NAIROBI 10576, (B) NAIROBI 10625, (C) STATE 242269

SUMMARY: THE INTELSAT ASSEMBLY ADOPTED BY CONSENSUS  
DEPTEMBER 30 A RESOLUTION (TEXT IN PARA 2 REF A) WEL-  
COMING THE PRC TO JOIN THE ORGANIZATION. FURTHER REVISION  
IN LANGUAGE WAS NOT FOUND POSSIBLE. THE ACTION LEAVES  
OPEN THE POSSIBILITY FOR TAIWAN'S CONTINUED ACCESS TO THE  
SYSTEM. END SUMMARY.

1. THE INTELSAT ASSEMBLY ADOPTED BY CONSENSUS SEPT 30  
THE RESOLUTION WELCOMING THE PRC TO JOIN INTELSAT, THE  
TEXT OF WHICH WAS CONTAINED IN PARA 2 OF REF A.  
FOLLOWING A VERY MODERATE INTRODUCTION OF THE RESOLUTION  
BY PAKISTAN ON BEHALF OF THE EIGHT COSPONSORS,  
27 DELEGATIONS REPRESENTING ALL REGIONS SPOKE IN  
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HIGHLY SIMILAR TERMS IN SUPPORT OF ITS ADOPTION. MORE

DELEGATIONS WERE PREPARED TO DO SO WHEN SWEDEN MANAGED TO OBTAIN IMMEDIATE ADOPTION BY CONSENSUS. (PRIOR ARRANGEMENT AMONG KENY DELEGATIONS TO ACHIEVE QUICK ADOPTION BY CONSENSUS RATHER THAN RISK HAVING INTERVENTIONS WHICH MIGHT WANDER INTO SENSITIVE AREAS BROKE DOWN AS THE CHAIRMAN IGNORED FOUR DIFFERENT MOVES FOR ADOPTION BY CONSENSUS AND INTERVENTIONS CONTINUED TO RUN ON UNTIL SWEDEN MOVED STRONGLY FOR THIS.) UGANDA AND PHILIPPINES SPOKE IN SUPPORT OF "ADMISSION" OF THE PRC, BUT THESE EXPRESSIONS WERE GIVEN NO SANDING. BARBADOS QUALIFIED ITS SUPPORT BY MAKING IT SUBJECT TO THE PROVISION OF SOME ACCOMODATION OF TAIWAN'S COMMUNICATIONS REQUIREMENTS.

2. THE U.S. INTERVENED AFTER ADOPTION AND ASKED THAT THE RECORD CONTAIN THE U.S. POSITION IN ACQUIESCING TO ADOPTION OF THE RESOLUTION BY CONSENSUS. THE U.S. REPRESENTATIVE THEN READ INTO THE RECORD BASED ON POINTS CONTAINED IN REF C PARA 1, REGRETTING THE POLITICAL OVERTONES INEVITABLY INTRODUCED INTO THIS TECHNICAL ORGANIZATION BY ADOPTING UNNECESSARILY THIS RESOLUTION, BUT EXPLAINING THAT WILLINGNESS TO GO ALONG WITH THE CONSENSUS SHOULD BE TAKEN TO REFLECT THE IMPORTANCE THE U.S. ATTACHES TO THE CONTINUED SOUND WORK OF THE ORGANIZATION ON ITS TECHNICAL OBJECTIVES.

3. GUATEMALA (SPEAKING ON BEHALF ALSO OF THE DOMINICAN REPUBLIC) AND SAUDI ARABIA ALSO INTERVENED AFTER ADOPTION OF THE RESOLUTION. GUATEMALA STIPULATED THAT THE PRC SHOULD "IN DUE TIME APPLY" FOR ENTRY INTO THIS "NON-POLITICAL" ORGANIZATION, AND STATED THAT THE ASSEMBLY ACTION SHOULD NOT DEPRIVE THE PEOPLE OF TAIWAN OF THE RIGHT TO USE INTELSAT. SAUDI ARABIA STATED THAT ITS CONCURRENCE IN THE ADOPTION OF THE RESOLUTION WAS QUALIFIED BY A RESERVATION IT WOULD SUBMIT IN WRITING. (THIS, WE ARE INFORMED, WILL ALSO AFFIRM THE RIGHT OF CONTINUED ACCESS BY TAIWAN.) THEREAFTER THE CHAIRMAN, WITHOUT OBJECTIONS, CUT OFF FURTHER EXPLANATIONS.

4. THE INTELSAT LEGAL ADVISOR HAS CONCLUDED THAT THE RESOLUTION AS ADOPTED AND EXPLAINED IN THE ASSEMBLY (A)  
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WILL PERMIT THE GOVERNING BOARD IN OCTOBER TO TENDER THE RETURN OF THE TAIWAN INVESTMENT, (B) DOES NOT PROVIDE ANY GROUNDS FOR OTHER THAN CONVENTIONAL ACCESSION BY THE PRC, AND (C) LEAVES THE WAY OPEN FOR CONTINUED ACCESS BY TAIWAN TO THE SYSTEM. THE ONLY QUALIFICATION TO THE LAST IS THAT THE PRC BY JOINING INTELSAT CAN NOW PUT ITSELF IN A POSITION TO IMPEDE CONTINUED ACCESS BY TAIWAN SHOULD IT EVER WISH TO DO SO.

5. COMMENT: THE RESOLUTION WAS TAKEN UP AS THE FIRST ORDER OF BUSINESS SEPT 30. NO ONE APPEARED UNPREPARED TO ACT ON IT, AND MANY UNDERSTOOD IT HAD BEEN DEFERRED UNTIL THEN MAINLY TO PERMIT THE U.S. TO ARRIVE AT A POSITION. EXCEPT FOR THE POSITION THE U.S. MIGHT TAKE, THE OUTCOME WAS A FOREGONE CONCLUSION, AND UNDER THESE CIRCUMSTANCES THERE WAS NO REALISTIC POSSIBILITY OF EFFECTING FURTHER CHANGES IN LANGUAGE ALONG THE LINES SUGGESTED IN REF C PARA 2.

6. THE VIEW OF MOST DELEGATIONS WAS THAT THE U.S. DELEGATION, THROUGH ITS INFORMAL CONVERSATIONS WITH THE PAKISTANI DELEGATION EARLIER IN THE WEEK, HAD BEEN INSTRUMENTAL IN BRINGING ABOUT RADICAL REVISIONS IN THE DRAFT RESOLUTION AND ITS UNDERLYING STRATEGY AND, HAVING REMOVED THE MAIN GROUNDS FOR CONCERN IN THE EARLIER VERSIONS, LITTLE OR NO SUPPORT WOULD BE FOUND FOR FURTHER MODIFICATION. IN THE EYES OF EVEN THOSE DELEGATIONS MOST SYMPATHETIC TO US, THE CRITICAL CONSIDERATIONS (AS SUMMARIZED BY THE LEGAL ADVISOR IN PARA 4 ABOVE) COULD BE PRESERVED UNDER THE PRESENT TEXT, AND ANY FURTHER DEBATE WOULD ONLY RISK COMPROMISING THEM. MOST IMPORTANTLY, THE ASSEMBLY ACTION BECAME A POSITIVE ONE OF WELCOMING AND INVITING PRC ACCESSION (NOT SUBSTITUTION), RATHER THAN A NEGATIVE ACT OF EXPELLING TAIWAN AND INVALIDATING THE RECORD OF ITS PARTICIPATION, AS ORIGINALLY ENVISAGED, WITH ALL OF THE LEGAL, POLITICAL AND PRACTICAL IMPLICATIONS THIS WOULD HAVE ENTAILED.  
MARSHALL UNQTE ROBINSON

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